

**DECLARATION AND POWER OF ATTORNEY**

As the below named inventor, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **ACCOUNT STATUS SYSTEM AND METHOD**, Application No. 09/911,123, the specification of which was filed on July 23, 2001.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATION(S)**

Number	Country filed	Day/month/year	Priority Claimed Under 35 USC § 119
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- None -

We hereby claim the benefit under Title 35, United States Code, §§ 119(e) of any United States provisional application(s) listed below:

**PRIOR PROVISIONAL APPLICATION(S)**

Application Number	Filing Date
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- None -



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We hereby claim the benefit under Title 35, United States Code § 120, of any United States application(s) listed below or under § 365(c) of any PCT international application(s) designating the United States of America listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. 112, We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

### PARENT APPLICATION(S)

U.S. Parent or PCT Parent Application Number	Parent Filing Date	Parent Patent Number (if applicable)
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- None -

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And We hereby appoint James David Jacobs (Reg. No. 24,299), Frank M. Gasparo (Reg. No. 44,700) and Eunhee Park (Reg. No. 42,976) as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.


Please address all communications regarding this application to:

Frank M. Gasparo, Esq.  
BAKER & McKENZIE  
805 Third Avenue  
New York, New York 10022

Please direct all telephone calls to Frank M. Gasparo at (212) 751-5700.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful and false statements may jeopardize the validity of the application or any patent issued thereon.

First Inventor: **Christina E. Colabella**

Inventor's Signature: 

Date: NOVEMBER 7, 2001

Residence: 9203 Stone Meadow Drive  
Richmond, VA 23228

Citizenship: United States

Post Office Address: Same as above

Second Inventor: **Timothy Roland Delfausse**

Inventor's Signature: 

Date: 11/5/01

Residence: 2236 West Grace Street  
Apartment #1  
Richmond, VA 23220

Citizenship: United States

Post Office Address: Same as above

Third Inventor: **Harold Reed Ogrosky**

Inventor's Signature: 

Date: 11/5/01

Residence: 30 Chase Gayton Circle #338  
Richmond, VA 23233

Citizenship: United States

Post Office Address: Same as above

FORM PTO-1619A

Expires 06/30/99  
OMB 0651-0027U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT****RECORDATION FORM COVER SHEET  
PATENTS ONLY**

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- ☐ Departmental File ☐ Secret File

**Conveying Party(ies)**☒ Mark if additional names of conveying parties attached

Name (line 1) Christina E. Colabella

Execution Date  
Month Day Year  
11/07/2001

Name (line 2)

**Second Party**

Name (line 1) Timothy Roland Delfausse

Execution Date  
Month Day Year  
11/05/2001

Name (line 2)

**Receiving Party**☐ Mark if additional names of receiving parties attached

Name (line 1) Capital One Financial Corporation

Name (line 2)

Address (line 1) 2980 Fairview Park Drive

Address (line 2)

Address (line 3) Falls Church

VA

22042

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

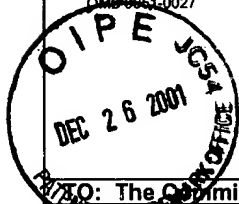
Address (line 3)

Address (line 4)

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

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**Correspondent Name and Address**

Area Code and Telephone Number

(212) 751-5700

Name Frank M. Gasparo

Address (line 1) Baker & McKenzie

Address (line 2) 805 Third Avenue

Address (line 3) 29th Floor

Address (line 4) New York, New York 10022

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

# 5

**Application Number(s) or Patent Number(s)**

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

09/911,123

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number

only if a U.S. Application Number has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

**Number of Properties**

Enter the total number of properties involved.

# 1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$

40.00

Method of Payment:  
Deposit Account

Enclosed ☐

Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# 02-0393

Authorization to charge additional fees:

Yes

☒

No

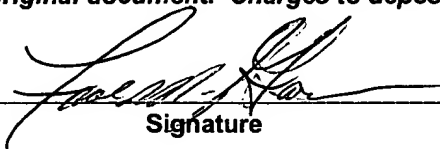
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**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Frank M. Gasparo

Name of Person Signing

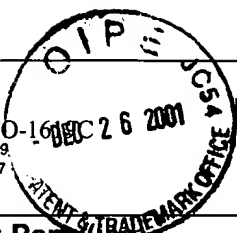


Signature

November 20, 2001

Date

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U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

**Conveying Party(ies)**

☐ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Execution Date  
Month Day Year

Name (line 1) Harold Reed Ogrosky

11/05/2001

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Name (line 2)

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Enter additional Receiving Party(ies)

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Address (line 1)

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Address (line 3)

City

State/Country

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Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

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**Application Number(s) or Patent Number(s)**

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)



**ASSIGNMENT**

WHEREAS, We,

**Christina E. Colabella**  
9203 Stone Meadow Drive  
Richmond, VA 23228  
United States

Citizenship: USA,

**Timothy Roland Delfausse**  
2236 West Grace Street  
Apartment #1  
Richmond, VA 23220

Citizenship: USA,

and

**Harold Reed Ggrosky**  
30 Chase Gayton Circle #838  
Richmond, VA 23233

Citizenship: USA

have made certain new and useful inventions and discoveries, for which an application for Letters Patent entitled **ACCOUNT STATUS SYSTEM AND METHOD**, the specification of which was filed on July 23, 2001, United States Patent Application No.: 09/911,123, and

WHEREAS, **Capital One Financial Corporation** having a place of business at 2980 Fairview Park Drive, Falls Church, VA 22042, United States of America, and who, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited,

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States, and other valuable consideration furnished by Assignee to me, receipt and sufficiency of which I hereby acknowledge, I hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of

America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that I have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that I have good right to assign the same to Assignee without encumbrance.

5. Bind my heirs, legal representatives, and assigns, as well as myself, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to me or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by me, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 7th  
day of November, 2001.

Christina E. Colabella  
Christina E. Colabella

STATE OF VIRGINIA )  
COUNTY OF HENRICO )

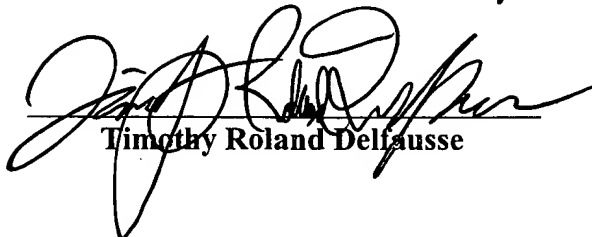
On this 7th day of November 2001, before me came **Christina E. Colabella**, to me known and known to me to be the individual described in, and who executed the foregoing instrument, and he has acknowledged to me that he has executed the same.

My commission expires:  
August 31, 2002

Kimberly O. Jretuel  
Notary Public



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this fifth  
day of November, 2001.

  
Timothy Roland Delfausse

STATE OF Virginia )  
COUNTY OF Henrico )

On this 5<sup>th</sup> day of November 2001, before me came **Timothy Roland Delfausse**, to me known and known to me to be the individual described in, and who executed the foregoing instrument, and he has acknowledged to me that he has executed the same.

My commission Expires  
August 31, 2002

Kimberly D. Nutwell  
Notary Public



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 5  
day of November, 2001.

Harold Reed Ogrosky  
Harold Reed Ogrosky

STATE OF Virginia )  
COUNTY OF Henrico )

On this 5<sup>th</sup> day of November 2001, before me came **Harold Reed Ogrosky**, to me known and known to me to be the individual described in, and who executed the foregoing instrument, and he has acknowledged to me that he has executed the same.

my commission expires  
August 31, 2002

Kimberly D. Jettrell  
Notary Public



COPY

ASSIGNMENT

WHEREAS, I, Christina E. Colabella, citizen of the United States, whose post office address is

9203 Stone Meadow Drive  
Richmond, VA 23228  
United States

have made certain new and useful inventions and discoveries, for which an application for Letters Patent entitled **ACCOUNT STATUS SYSTEM AND METHOD**, the specification of which is being filed herewith as a United States Patent Application, and

WHEREAS, Capital One Financial Corporation having a place of business at 2980 Fairview Park Drive, Falls Church, VA 22042, United States of America, and who, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited,

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States, and other valuable consideration furnished by Assignee to me, receipt and sufficiency of which I hereby acknowledge, I hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.
2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.
4. Warrant that I have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that I have good right to assign the same to Assignee without encumbrance.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 23rd  
day of July, 2001.

STATE OF Virginia  
COUNTY OF Henrico

Mary Annelle Fraser  
Notary Public

my Commission expires 3-31-05